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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|----------------------|
| Application Number | 09/815,533 |
| Filing Date | March 16, 2001 |
| First Named Inventor | Achille Arini, et al |
| Group Art Unit | 1652 |
| Examiner Name | Steadman, David J. |
| Attorney Docket Number | 515-4218 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on May 15, 2003
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Sequence listing with Disk

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-1540
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 375.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-------------------|-----------------------------------|---------------|
| Name (Print/Type) | James V. Costigan | Registration No. (Attorney/Agent) | 25,669 |
| Signature | | Date | July 15, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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|-------------------|-------------------|------|---------------|
| Name (Print/Type) | James V. Costigan | Date | July 15, 2003 |
| Signature | | Date | July 15, 2003 |

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Docket No. 515-4218A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATION

Applicants:)
)
Achille Arini et al.) Examiner: David J. Steadman
)
Serial Number: not yet known) Art. Unit: 1652
)
Filing Date: July 15, 2003)

Title: A METHOD FOR THE PRODUCTION OF PHARMACEUTICALLY ACTIVE
RECOMBINANT PROTEINS

New York, NY 10036
July 15, 2003

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PRELIMINARY AMENDMENT

This Preliminary Amendment is being filed in response to the Advisory Action that was mailed June 2, 2003 and accompanies a Request for Continuing Examination of U.S. Patent Application No. 09/815,533, filed March 16, 2001. Kindly amend the above identified application as follows:

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Alexandria, VA 22313-1450


James V. Costigan, Reg. No. 25,669